

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

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OCT 25 2004

**In re appeal of Alfred B. Levine
Application Serial Number 09/814,054**

Filed 3-22-01

For: NON-COMPUTING NAVIGATION SYSTEM

Art Unit 2876

Examiner S. Paik

Notice Of Appeal filed 6-5-03

Brief on Appeal 9-8-03

PETITION TO COMMISSIONER

Hon. Commissioner of Patents & Trademarks

Sir:

**Applicant petitions the Commissioner in the exercise of his
statutory authority to perform the following acts:**

- 1. To LOCATE the file of the above application that appears
to have been lost or mislaid by the Examiner or in the
Examining Group.**
- 2. To require the FILING OF THE EXAMINER'S ANSWER to
the Appeal Brief filed by Appellant. Appellant's Brief was**

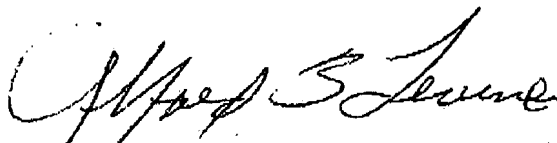
-1-

filed more than one (1) year ago on September 9, 2003
and had not been acknowledged or Answered.

3. Establish a procedure for MONITORING the status of
appealed applications to prevent their being lost or
mislaidd for indefinate time periods as in the present
application. Appellant filed a STATUS INQUIRY ten (10)
months ago and this has not been answered or
acknowledged.

4. Respond to a STATUS INQUIRY filed by Appellant on
12-3-03, more than ten (10) months ago.

Respectfully Submitted,



Alfred B. Levine, Applicant and Appellant

301-365-0738 phone and fax

10/25/04